

IN THE HIGH COURT OF JUDICATURE AT PATNA

COM PET No.9 of 2008

VISHNU SUGAR MILLS LIMITED, Harakhua, P.O.
Vishnu Sugar Mills, District-Gopalganj, State of Bihar
through the General Manager, P.R.S. Panicker

..... Petitioner

Versus

M/S S.C.I. INDIA LIMITED having its registered office at
D.N.Singh Road, Bhagalpur-812002 and its Corporate
Office at Poddar Point, 10th Floor, 113-Park Street, Kolkata-
700016

..... Respondent

For the petitioner : Mr. Y.V.Giri, Sr. Advocate

For Respondent: M/s. G.P.Bimal and Satyabir Bharti,
Advocates

15. 30.7.2010

I.A. No. 6598 of 2010 has been filed by the

petitioner in which it is stated that the respondent-
company had entered into compromise with the
petitioner-company under which it had agreed to pay an
amount of Rs. 3 lakh per month so as to clear the entire
amount of debt of Rs. 19,19,243.00 along with a
consolidated interest amounting to Rs. 1 lakh.

This Court by its order dated 16.10.2009, after
hearing the parties on the said compromise petition,
permitted the respondent-company to fulfill its obligation
under the said compromise.

In the interlocutory application it is stated that
the respondent-company has abided by the terms of the
compromise and by now paid the entire amount of debt

along with interest of Rs. 1 lac in terms of the compromise.

For the said reason, the present application has been filed under Section 100(1) of the Companies (Court) Rules, 1959 seeking leave of the Court to withdraw the company petition.

On a consideration of the entire facts and circumstances, this Court is of the view that it is a fit case for permitting the company petition to be withdrawn. Leave to withdraw is granted.

The company petition is, accordingly, dismissed as withdrawn.

S. Pandey

(**Ramesh Kumar Datta, J.**)

